

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SCOTT L. WALKER,

Plaintiff,

vs.

SPIKE'S TACTICAL, LLC,

Defendant.

Case No. 2:13-cv-01923-JCM-PAL

ORDER

The court conducted a hearing on December 10, 2013, on the parties' Joint Case Management Report Special Scheduling Review Requested (Dkt. #9). Ryan Mortier appeared on behalf of Plaintiff, and Steven Abbott appeared on behalf of Defendant.

The parties requested 365 days, or twice the amount of time deemed presumptively reasonable by LR26-1(e). The complaint in this case was filed in state court and removed October 21, 2013. The Plaintiff has asserted state claims for products liability based on negligent design and manufacture, and failure to warn arising out of injuries to his left hand he sustained on February 20, 2012. Plaintiff alleges that he was injured at a shooting range while firing an AR-15 with a flare launcher manufactured, designed and sold by the Defendants. The additional time is requested because Defendants are located out of state and a defense expert who has inspected the weapon and flare believes the flares were manufactured by a foreign company who may or may not have an American distributor. One or both parties may move to amend to add the foreign company and/or its American distributor.

No expert has opined that the flare is defective, or caused or contributed to the Plaintiff's injuries. The parties do not claim they have a Rule 11 basis to name any other party. The court will grant a 30-day extension of the discovery plan and scheduling order deadlines beyond that deemed

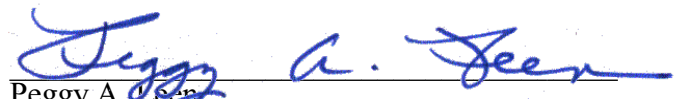
presumptively reasonable, measured from Defendant's Answer (Dkt. #10) filed November 26, 2013, and scrutinize any request for an extension for a showing of good cause and diligence.

As such,

IT IS ORDERED that:

1. The Joint Case Management Report Special Scheduling Review Requested (Dkt. #9) is **DENIED**.
2. The following discovery plan and scheduling order dates shall apply:
 - a. Last date to complete discovery: **June 24, 2014**.
 - b. Last date to amend pleadings and add parties: **March 26, 2014**.
 - c. Last date to file interim status report: **April 25, 2014**.
 - d. Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2): **April 25, 2014**.
 - e. Last date to disclose rebuttal experts: **May 26, 2014**.
 - f. Last date to file dispositive motions: **July 24, 2014**.
 - g. Last date to file joint pretrial order: **August 25, 2014**. In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after a decision of the dispositive motions.
3. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the pretrial order.
4. Applications to extend any dates set by this discovery plan and scheduling order shall, in addition to satisfying the requirements of LR 6-1, be supported by a showing of good cause for the extension. All motions or stipulations to extend discovery shall be received no later than **4:00 p.m., June 3, 2014**, and shall fully comply with the requirements of LR 26-4.

Dated this 10th day of December, 2013.


Peggy A. Lisen
United States Magistrate Judge